REMARKS

The Office Action dated July 30, 2009 has been fully considered by the Applicant.

By way of the present amendment, independent Claims 1 and 11 have each been amended to clearly convey that the video data in the altered format is generated in response to user selection and that the altered format is a fast cue or a fast review video display.

The rejection of Claims 1, 2, and 5 through 12, as now amended, under 35 U.S.C §103(a) as unpatentable over Zdepski et al. (U.S. Patent No. 6,445,738) and in view of Van Den Enden (U.S. Patent No. 5,799,128) is respectfully traversed.

Notwithstanding the Examiner's assertions, Zdepski does not provide the limitations of independent Claims 1 and 11 as now amended. More specifically, it is clear from Zdepski at column 11, line 58 to column 12, line 64 that the purpose of the memory stack is to store coordinates relating to I-frames and the like in the video stream, not to store the I-frame video data itself. It is noted that column 11, line 54-57 refers to MPEG data being stored in the stack, but this data must correspond to coordinates which are stored or, otherwise, the subsequent paragraphs concerning the generation for a reverse trick play stream would not make sense.

According to Zdepski, the first step is to place a marker in the cleared memory stack to indicate the coordinates in the video stream of the first picture start code (column 11, lines 58-64). It is of specific note that the marker identifies a portion of the video stream and is therefore a set of coordinates corresponding to the first start code. There is no disclosure of storing an I-frame or indeed any other video frames, as alluded to by the Examiner.

The next step involves searching for further start codes in the video stream, and then adding the coordinates of the same to the stack. If the start code relates to an I-frame, the coordinates are removed (such that the most recently added are removed first) and data in the corresponding video

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stream is written until the marker is detected (column 12, lines 40-56), apparently thereby generating a sequence of I-frames in reverse order which can be stored for trick play use at a later date.

As such, there is no disclosure in Zdepski of pre-filling a buffer memory with a first threshold level of video data prior to decoding the same for normal playback, or indeed pre-filling the same buffer memory with a second threshold level of video data prior to decoding the same for trick mode.

Furthermore, there is certainly no disclosure of changing the threshold level in a buffer in response to a user selection during normal playback. Rather, Zdepski teaches a way of creating and storing a stream for trick mode which is separate to the original stream (column 6, lines 6-45), and thus it is not surprising that there is no disclosure of the buffer memory as described in the present invention, as there is no requirement for the same.

The Examiner concedes on page 3 of the Office Action that Zdepski is silent as to setting the required buffer size at a level value or threshold so as to substantially accommodate the data required to generate in single I-frame. Van Den Enden, however, does not supply the missing claim features. While Van Den Enden detects receipt of an I-frame in order to generate a control signal, it is otherwise dissimilar.

In particular, Van Den Enden does not change the required level of video data held in the buffer memory to a second threshold, fill the buffer memory with video data corresponding to a single I-frame, and generate an altered format of a fast cue or fast review video display.

In summary, the combination of Zdepski and Van Den Enden, taken together do not reach the amended Claims 1 or 11 of the present invention.
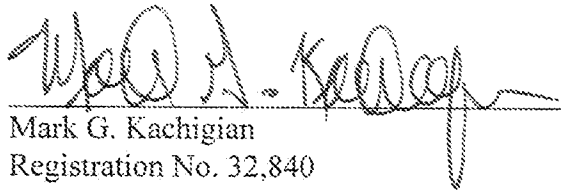
The remaining claims are dependent on the independent claims and are believed allowable for all the forgoing reasons.

Finally, it is untenable to attempt to combine the teachings of the Zdepski and Van Den Enden together to achieve the present invention. Indeed, the present invention is directed at a different problem, namely how to minimize the delay when generating a trick mode on the fly during normal playback, whereas Zdepski teaches a method of generating a trick mode stream, prior to playback, which trick mode stream is stored separately for later use.

Also submitted herewith is a petition for extension of time and payment thereof.

It is believed that the forgoing is fully responsive to the outstanding Office Action. If any issues remain, a telephone conference with the Examiner is respectfully requested. If there are any further charges associated with this application, authorization is given to change the Deposit Account No. 08-1500.

Respectfully submitted,

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